

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: Bernard F. Murphy and)
Jodi M. Murphy) Case No. 17-23771-JAD
)
) Chapter 13
Debtor(s).)
X Related to Docs. #98 and 120

ORDER OF COURT
(Check Boxes That Apply)

☒ Confirming Plan on Final Basis

☐ Chapter 13 Plan dated: _____

☐ Authorizing Distributions Under Plan ☒ Amended Chapter 13 dated:
On Interim Basis Solely as Adequate May 25th, 2021
Protection

IT IS HEREBY ORDERED that pursuant to the plan identified above (the “Plan”), as the same may be modified by this Order, the Chapter 13 Trustee is authorized to make distributions to creditors holding allowed claims from available funds on hand. Such distributions shall commence no earlier than the Chapter 13 Trustee’s next available distribution date after the first day of the month following the date on which this Order is entered on the Court’s docket.

IT IS FURTHER ORDERED that those terms of the Plan which are not expressly modified by this Order shall remain in full force and effect. To the extent any terms and conditions of the Plan are in conflict with this Order, the terms of this Order shall supersede and replace any conflicting terms and conditions of the Plan.

1. **Unique Provisions Applicable Only to This Case:** *Only those provisions which are checked below apply to this case:*

- ☐ A. For the remainder of the Plan term, the periodic monthly Plan payment is amended to be \$_____, beginning _____. To the extent there is no wage attachment in place or if an existing wage attachment is insufficient to fund the Plan payments, counsel to the Debtor(s) shall within seven (7) days hereof file a wage attachment motion (or motions) to fully fund the Plan payments, or shall sign up for and commence payments under the Trustee’s TFS online payment program.

- ☐ B. The length of the Plan is changed to a total of at least ____ months. This statement of duration of the Plan is an approximation. The Plan shall not be completed until the goals of the Plan have been achieved.
- ☐ C. To the extent this Order is entered as a form of adequate protection, the Trustee is authorized to distribute to secured and priority creditors with percentage fees payable to the Chapter 13 Trustee on receipt as provided for in 28 U.S.C. §586. *Continued conciliation conferences before the Trustee or contested hearings before the Court shall proceed on such dates and times as appear on the case docket.* The Trustee is deemed to have a continuous objection to the Plan until such time the Plan is confirmed on a final basis.

PARTIES ARE REMINDED OF THEIR DUTY TO MONITOR THE COURT'S DOCKET AND ATTEND DULY SCHEDULED HEARINGS. THE PARTIES ARE FURTHER REMINDED OF THEIR DUTY TO MEET AND CONFER AND OTHERWISE ENGAGE IN GOOD FAITH SETTLEMENT NEGOTIATIONS WITH RESPECT TO ANY OBJECTION TO PLAN CONFIRMATION. FAILURE TO COMPLY WITH THESE DUTIES MAY RESULT IN THE IMPOSITION OF SANCTIONS AGAINST THE OFFENDING PARTY.

- ☐ D. Plan confirmation is subject to the resolution of all actions to determine the avoidability, priority, or extent of liens; including determination of the allowed amount of secured claims under *11 U.S.C. §506*, disputes over the amount and allowance of claims entitled to priority under *11 U.S.C. §507*, and all objections to claims.
- ☐ E. The allowed claims of general unsecured creditors shall be paid from available funds on a pro rata basis, which may represent an increase or decrease in the amount projected in the Plan.
- ☐ F. The following utility creditor _____ shall be paid monthly payments of \$_____ beginning with the Trustee's next distribution and continuing for the duration of the Plan's term, to be applied by that creditor to its administrative claim, ongoing budget payments and/or security deposit. These payments shall be at the third distribution level.
- ☐ G. The claims of the following creditors shall govern as to amount, classification and rate of interest (or as otherwise noted), unless the Debtor(s) successfully objects to the claim:
- _____
- ☐ H. The secured claims of the following creditors shall govern as to claim amount, to be paid at the modified plan interest rate in a monthly amount to be determined by Trustee to pay the claim in full during the Plan term:
- _____

- ☐ I. The secured claim(s) of the following creditors shall govern as to claim amount, to be paid at the indicated interest rate in a monthly amount to be determined by Trustee to pay in full during the Plan term:

- ☐ J. The secured claim(s) of the following creditor(s) shall govern, following all allowed post-petition payment change notices filed of record:

- ☒ K. Additional Terms and Conditions:

*No further payments to LoanDepot CL#26 as collateral is surrendered per the plan

with payments proper and ratified

*No further payments to US Bank/Great Lakes with prior payments proper and ratified as discharged

2. Deadlines. The following deadlines are hereby established and apply to this case:

A. Applications to retain brokers, sales agents, or other professionals. If the Plan contemplates a sale or sales of assets or the recovery of litigation proceeds as a source of funding, Debtor(s) shall file motion(s) to employ the necessary professionals within thirty (30) days hereof.

B. Review of Claims Docket and Objections to Claims. Pursuant to *W.P.A.LBR 3021-1(c)(2)*, the Debtor(s) (or Debtor(s)' attorney, if represented), shall review the proofs of claim filed in this case and shall file objections (1) to any disputed timely filed claims within ninety (90) days after the claims bar date, or (2) to any disputed late filed or amended claims within ninety (90) days after the amended and/or late claims are filed and served. Absent a timely objection or further order of the Court, the timely filed proof of claim will govern as to the classification and amount of the claim; provided however, no creditor shall receive a distribution in this case until such time as the relevant allowed claim is provided for in the Plan or any subsequent amended plan.

C. Motions or Complaints Pursuant to §§506, 507 or 522. All actions to determine the priority, avoidability, or extent of liens, and all actions pursuant to *11 U.S.C. §§506, 507 and 522* shall be filed within ninety (90) days after the claims bar date.

D. Filing Amended Plans or Other Stipulation. Within fourteen (14) days after the Bankruptcy Court resolves the priority of a claim, avoidability of a lien or interest, or extent of a lien, or any objection to claim, the Debtor(s) shall file an Amended Plan or Stipulated Order Modifying Plan to provide for the allowed amount of the lien or claim if the allowed amount and/or treatment differs from the amount and/or treatment stated in the Plan. The Debtor(s) or Counsel for Debtor(s) should inquire with the Chapter 13 Trustee regarding whether an

Amended Plan or proposed Stipulated Order Modifying Plan is the preferred course of action. In addition, if after the conclusion of the claims bar date and any associated litigation, the Plan is underfunded, Debtor(s) shall also file (1) an amended Plan increasing the monthly Plan payment, and (2) a revised wage attachment to provide for the increased funding.

3. Additional Provisions. The following additional provisions apply in this case:

A. Any creditor who files or amends a proof of claim shall serve a copy on the Debtor(s) or counsel for the Debtor(s).

B. The Trustee shall hold in reserve any distributions under the Plan to any creditor who holds a claim that is provided for in the Plan but which is subject to a duly filed claims objection. Upon entry of further order of the Court, or ultimate allowance of the disputed claim provided for in the Plan, the Trustee may release the reserve and make distribution to the affected creditor. Unless otherwise permitted by separate Order of Court, Trustee shall not commence distributions to unsecured creditors until after the later of the government bar date and a filed notice of an intention to pay claims (the later date being the "Earliest Unsecured Distribution Date"). Trustee may, but has no obligation to, further defer distributions to unsecured creditors until a later date after the Earliest Unsecured Distribution Date.

C. Any creditor whose payment changes due to variable interest rates, change in escrow, or change in monthly payments, shall notify the Trustee, Debtor(s)' counsel and Debtor(s) at least twenty-one (21) days prior to the change taking effect.

D. Debtor(s)' counsel must file a fee application in accordance with *W.P.A.LBR 2016-1* before attorney fees in excess of the "no look" provision (including retainer) will be allowed or paid.

E. The Trustee shall file a *Certificate of Default and Request for Dismissal* of the case in the event of a material Plan default.

F. In the event that any order is entered in this case granting relief from the automatic stay to a secured creditor, then the Trustee shall make no further disbursements to any creditor on account of any allowed ***secured claim*** (that is secured by the property subject to the relief from stay order), unless otherwise directed by further Order of Court.

G. The Debtor(s) shall maintain all policies of insurance on all property of the Debtor(s) and this estate as required by law and/or contract.

H. The Debtor(s) shall pay timely all post-confirmation tax liabilities directly to the appropriate taxing authorities as they become due.

Dated: 7/16/2021



sjk

Jeffery A. Deller, U.S.B.J.

In re:
Bernard F. Murphy
Jodi M. Murphy
Debtors

Case No. 17-23771-JAD
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0315-2
Date Rcvd: Jul 16, 2021

User: nsha
Form ID: pdf900

Page 1 of 4
Total Noticed: 66

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.
++	Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.P.2002(g)(4).

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jul 18, 2021:

Recip ID	Recipient Name and Address
db/jdb	+ Bernard F. Murphy, Jodi M. Murphy, 9817 South Tripp Avenue, Oak Lawn, IL 60453-3553
cr	Educational Credit Management Corporation, PO BOX 16408, Saint Paul, MN 55116-0408
r	+ Gloria Walker, Keller Williams Realty of N. Pittsburgh, 11269 Perry Highway, #300, Wexford, PA 15090-9388
r	+ Megan M. Rummel, Clear Choice Enterprises, 723 E. Brady Street, Butler, PA 16001-4789
r	+ Melissa Barker, Berkshire Hathaway HomeServices, 119 Mulone Drive, Sarver, PA 16055-8409
cr	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 N. Lincoln Ave., Pittsburgh, PA 15233-1828
14696072	+ AES/PNC Bank, P.O. Box 61047, Harrisburg, PA 17106-1047
14696074	+ Barclays Bank Delaware, P.O. Box 8803, Wilmington, DE 19899-8803
14728922	Capital One, N.A., c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
14696082	+ Comenity/Trwrds, P.O. Box 182789, Columbus, OH 43218-2789
14882852	Educational Credit Management Corporation, PO Box 16408, St. Paul, MN 55116-0408
14696091	+ Loan Depot, 26642 Towne Centre Drive, Foothill Ranch, CA 92610-2808
14760828	+ LoanDepot.com, LLC, c/o Cenlar FSB, 425 Phillips Boulevard, Ewing, NJ 08618-1430
14696095	+ Mohela/Dept. of Ed., 633 Spirit Drive, Chesterfield, MO 63005-1243
14696096	+ Nancy Murphy, 10814 S. Maplewood, Chicago, IL 60655-1213
14713211	+ PHEAA, PO Box 8147, Harrisburg, PA 17105-8147
14719573	+ Peoples Natural Gas Company LLC, c/o S. James Wallace, P.C., 845 North Lincoln Avenue, Pittsburgh, PA 15233-1828
14696107	+ Toyota Financial Services, 1111 W. 22nd St., Ste. 420, Oak Brook, IL 60523-1959
14740351	+ Toyota Motor Credit Corporation, PO Box 9013, Addison, Texas 75001-9013
14698173	+ U S Dept of Education/MOHELA, 633 Spirit Drive, Chesterfield, Mo 63005-1243
14696109	+ US Bank/Great Lakes Higher Education, P.O. Box 7860, Madison, WI 53707-7860
14696108	+ United Collection Bureau Inc., 5620 Southwyck Blvd., Ste 206, Toledo, OH 43614-1501

TOTAL: 22

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jul 17 2021 04:59:05	Ally Bank, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/PDF: acg.acg.ebn@americaninfosource.com	Jul 17 2021 04:28:33	Ally Financial, c/o AIS Portfolio Services, LP, 4515 N Santa Fe Ave. Dept. APS, Oklahoma City, OK 73118-7901
cr	+ Email/Text: bncmail@w-legal.com	Jul 16 2021 23:05:00	Synchrony Bank, c/o Weinstein & Riley, P.S., 2001 Western Ave., Suite #400, Seattle, WA 98121-3132
14707102	Email/Text: ally@ebn.phinsolutions.com	Jul 16 2021 23:04:00	Ally Bank, PO Box 130424, Roseville MN 55113-0004
14707074	Email/Text: ally@ebn.phinsolutions.com	Jul 16 2021 23:04:00	Ally Financial, PO Box 130424, Roseville MN 55113-0004
14696073	+ Email/Text: ally@ebn.phinsolutions.com	Jul 16 2021 23:04:00	Ally Financial, P.O. Box 380901, Minneapolis, MN 55438-0901

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14696075	Email/PDF: AIS.cocard.ebn@americaninfosource.com	Jul 17 2021 04:48:54	Capital One Bank, P.O. Box 5155, Norcross, GA 30091
14698598	Email/Text: Bankruptcy.RI@Citizensbank.com	Jul 16 2021 23:04:00	Citizens Bank N.A., 1 Citizens Drive Mailstop ROP15B, Riverside, RI 02915
14696077	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 16 2021 23:09:17	Citicards/Citibank, P.O. Box 6241, Sioux Falls, SD 57117-6241
14696078	+ Email/Text: Bankruptcy.RI@Citizensbank.com	Jul 16 2021 23:04:00	Citizens Bank, 1000 Lafayette Gill, Bridgeport, CT 06604-4725
14696079	+ Email/Text: mediamanagers@clientservices.com	Jul 16 2021 23:04:00	Client Services, Inc., 3451 Harry S. Truman Blvd., Saint Charles, MO 63301-9816
14696080	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 16 2021 23:05:00	Comenity Bank/Victoria Secret, P.O. Box 182789, Columbus, OH 43218-2789
14761261	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 16 2021 23:05:00	Comenity Capital Bank/Paypal Credit, c/o Weinstein & Riley, PS, 2001 Western Ave., Ste 400, Seattle, WA 98121-3132
14696081	+ Email/Text: BNC-ALLIANCE@QUANTUM3GROUP.COM	Jul 16 2021 23:05:00	Comenity Capital/Petland, P.O. Box 182120, Columbus, OH 43218-2120
14696093	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 16 2021 23:09:27	Macy's, P.O. Box 8218, Mason, OH 45040
14696094	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 16 2021 23:09:22	Macy's Visa, P.O. Box 8218, Mason, OH 45040-8218
14740693	Email/Text: bnc-quantum@quantum3group.com	Jul 16 2021 23:05:00	Department Stores National Bank, c/o Quantum3 Group LLC, PO Box 657, Kirkland, WA 98083-0657
14696083	+ Email/Text: egssupportservices@alorica.com	Jul 16 2021 23:05:00	EGS Financial Care, Inc., 4740 Baxter Road, Virginia Beach, VA 23462-4484
14696084	+ Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:24	GC Services LP, P.O. Box 1389, Copperas Cove, TX 76522-5389
14756140	+ Email/Text: ISAC.Bankruptcy@illinois.gov	Jul 16 2021 23:05:00	Illinois Student Assistance Commission, 1755 Lake Cook Road, Deerfield, IL 60015-5209
14696085	Email/Text: sbse.cio.bnc.mail@irs.gov	Jul 16 2021 23:05:00	Internal Revenue Service, Centralized Insolvency Operation, PO Box 7346, Philadelphia, PA 19101-7346
14696076	Email/PDF: ais.chase.ebn@americaninfosource.com	Jul 17 2021 04:48:52	Chase, P.O. Box 15298, Wilmington, DE 19850-5298
14696088	Email/Text: PBNCNotifications@peritussservices.com	Jul 16 2021 23:04:00	Kohls Capone, P.O. Box 3115, Milwaukee, WI 53201-3115
14754935	Email/PDF: resurgentbknotifications@resurgent.com	Jul 16 2021 23:09:16	LVNV Funding, LLC its successors and assigns as, assignee of FFPM Carmel Holdings I, LLC, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14755568	Email/PDF: resurgentbknotifications@resurgent.com	Jul 16 2021 23:09:16	LVNV Funding, LLC its successors and assigns as, assignee of LendingClub Corporation, Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14754979	Email/PDF: resurgentbknotifications@resurgent.com	Jul 16 2021 23:09:17	LVNV Funding, LLC its successors and assigns as, assignee of Citibank, N.A., Resurgent Capital Services, PO Box 10587, Greenville, SC 29603-0587
14696089	+ Email/Text: bk@lendingclub.com	Jul 16 2021 23:05:00	Lending Club, 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14696092	+ Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:24	Lumber Liquidators/Synch Bank, P.O. Box 960061, Orlando, FL 32896-0061
14696097	+ Email/PDF: pa_dc_claims@navient.com	Jul 16 2021 23:09:21	Navient, P.O. Box 9500, Wilkes Barre, PA

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14714978	Email/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com	Jul 16 2021 23:09:25	18773-9500 Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541
14697105	+ Email/PDF: rmscedi@recoverycorp.com	Jul 16 2021 23:09:25	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14696098	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:24	Paypal Credit, P.O. Box 105658, Atlanta, GA 30348-5658
14759861	Email/Text: bnc-quantum@quantum3group.com	Jul 16 2021 23:05:00	Quantum3 Group LLC as agent for, MOMA Funding LLC, PO Box 788, Kirkland, WA 98083-0788
14696101	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:24	SYNCB/American Eagle, P.O. Box 965005, Orlando, FL 32896-5005
14953888	+ Email/Text: bncmail@w-legal.com	Jul 16 2021 23:05:00	SYNCHRONY BANK, c/o Weinstein & Riley, P.S., 2001 Western Ave, Ste 400, Seattle, WA 98121-3132
14696099	+ Email/PDF: Citi.BNC.Correspondence@citi.com	Jul 16 2021 23:09:27	Sears/CBNA, P.O. Box 6283, Sioux Falls, SD 57117-6283
14696100	Email/PDF: clerical@simmassociates.com	Jul 16 2021 23:09:25	Simm Associates Inc., P.O. Box 7526, Newark, DE 19714-7526
14696102	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:14	Synchrony Bank/Amazon, Attn: Bankruptcy Dept., P.O. Box 965015, Orlando, FL 32896-5015
14696103	+ Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:24	Synchrony Bank/American Eagle, P.O. Box 965005, Orlando, FL 32896-5005
14696104	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:14	Synchrony Bank/JC Penney, P.O. Box 965007, Orlando, FL 32896-5007
14696105	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:14	Synchrony Bank/Sams Club, P.O. Box 960013, Orlando, FL 32896-0013
14696106	Email/PDF: gecsed@recoverycorp.com	Jul 16 2021 23:09:20	Synchrony Bank/Walmart, P.O. Box 965024, Orlando, FL 32896-5024
15380523	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Jul 16 2021 23:05:00	US Bank, ATTN: Bankruptcy Department, 4801 Frederica Street, Owensboro, KY 4230
15380524	Email/Text: RPSBankruptcyBNCNotification@usbank.com	Jul 16 2021 23:05:00	US Bank, PO Box 64799, St. Paul, MN 55164
TOTAL: 44			

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

Recip ID	Bypass Reason	Name and Address
cr		LoanDepot.com, LLC
cr	*+	PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021
14696087	*+	Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Ave, Pittsburgh, PA 15222-4107
14696086	*+	Internal Revenue Service, Insolvency Operation, Room 711B, 1000 Liberty Avenue, Pittsburgh, PA 15222-4107
14696090	*+	Lending Club Corp., 71 Stevenson Street, Suite 300, San Francisco, CA 94105-2985
14716013	*P++	PORTFOLIO RECOVERY ASSOCIATES LLC, PO BOX 41067, NORFOLK VA 23541-1067, address filed with court:, Portfolio Recovery Associates, LLC, POB 12914, Norfolk VA 23541

TOTAL: 1 Undeliverable, 5 Duplicate, 0 Out of date forwarding address

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

District/off: 0315-2

User: nsha

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Date Rcvd: Jul 16, 2021

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Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jul 18, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on July 16, 2021 at the address(es) listed below:

Name	Email Address
Brian Nicholas	on behalf of Creditor LoanDepot.com LLC bnicholas@kmlawgroup.com
Dai Rosenblum	on behalf of Joint Debtor Jodi M. Murphy Jody@dairosenblumbankruptcy.com Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
Dai Rosenblum	on behalf of Debtor Bernard F. Murphy Jody@dairosenblumbankruptcy.com Dai@dairosenblumbankruptcy.com;Michael@dairosenblumbankruptcy.com
Maria Miksich	on behalf of Creditor LoanDepot.com LLC mmiksich@kmlawgroup.com
Office of the United States Trustee	ustpregion03.pi.ecf@usdoj.gov
Ronda J. Winnecour	cmecf@chapter13trusteedpa.com
S. James Wallace	on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com Equitablebankruptcy@peoples-gas.com

TOTAL: 7